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11 United States District Court
12 Northern District of California, San Francisco Division

13 San Francisco Technology Inc.

14 Case No. 5:09-cv-06083-RS

15 Plaintiff

Declaration of Dan Fingerman

16 vs.

Date: April 8, 2010

Time: 1:30 pm

Room: Courtroom 3, 17th Floor

Judge: Richard Seeborg

17 Adobe Systems Incorporated, The Brita
18 Products Company, Delta Faucet
Company, Evans Manufacturing Inc.,
The Evercare Company, Graphic
Packaging International Inc., Magnum
Research Inc., Pavestone Company LP,
The Procter & Gamble Company, S.C.
Johnson & Son Inc., Spectrum Brands
Inc., Super Swim Corp., Unilock Inc.,
West Coast Chain Mfg. Co.

19 Defendants

MOUNT & STOELKER, P.C.
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TELEPHONE (408) 279-7000

1 I, Dan Fingerman, declare as follows:

2 1. I am an attorney with Mount & Stoelker, P.C., which is counsel of record for Plaintiff
3 San Francisco Technology Inc. I have personal knowledge of the facts in this declaration.

4 2. On June 17, 2009, I downloaded an advertisement from the web site
5 www.magnumresearch.com. A copy of that advertisement is attached hereto as Exhibit 1.

6 3. On October 12, 2009, I searched the web site at www.magnumresearch.com for that
7 same advertisement and found a different advertisement. I downloaded a copy of this second
8 advertisement. A copy of this second advertisement is attached hereto as Exhibit 2.

9 4. On February 1, 2010, I conducted an Internet search for the keywords "patent
10 Magnum Desert Eagle" using the Google search engine at www.google.com, and I saved a copy of
11 the search results. A copy of that search result page is attached hereto as Exhibit 3.

12 5. Attached hereto as Exhibits 4–8 are the advertisements from the web site
13 www.deltafauets.com which are accused of containing false markings in ¶ 57 of the Complaint.

14 I declare under penalty of perjury under the laws of the United States of America that the
15 foregoing is true and correct. Executed on the date set forth below.

16 Date: March 18, 2010

17 _____
18 /s/ Dan Fingerman
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Certificate of Service

The undersigned certifies that on March 18, 2010, the foregoing document was filed with the Clerk of the U.S. District Court for the Northern District of California, using the court's electronic filing system (ECF), in compliance with Civil L.R. 5-4 and General Order 45. The ECF system serves a "Notice of Electronic Filing" to all parties and counsel who have appeared in this action, who have consented under Civil L.R. 5-5 and General Order 45 to accept that Notice as service of this document.

Date: March 18, 2010

Mount & Stoelker, P.C.,

/s/ Dan Fingerman

Attorneys for San Francisco Technology Inc.

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